

**REGULAR CITY COUNCIL  
REDEVELOPMENT AGENCY  
PUBLIC FINANCING AUTHORITY MINUTES  
CITY OF IMPERIAL BEACH  
July 6, 2005  
CLOSED SESSION – 5:00 P.M.  
REGULAR MEETING – 6:00 P.M.  
CITY COUNCIL CHAMBERS  
825 Imperial Beach Boulevard  
Imperial Beach, California**

**CALL TO ORDER**

MAYOR ROSE called the Closed Session Meeting to order at 5:10 p.m.

**ROLL CALL**

Councilmembers present:	McCoy, Winter, McLean
Councilmembers absent:	None
Mayor present:	Rose
Mayor Pro Tem present:	Janney

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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**CLOSED SESSION**

**MOTION BY ROSE, SECOND BY MCCOY, TO ADJOURN TO CLOSED SESSION UNDER:**

**CONFERENCE WITH LABOR NEGOTIATOR.**

Pursuant to Government Code Section 54957.6:

Agency Negotiator:	City Manager
Employee organizations:	Imperial Beach Firefighters' Association (IBFA) Service Employees International Union (SEIU), Local 2028

**CONFERENCE WITH PROPERTY NEGOTIATORS.**

Pursuant to Government Code Section 54956.8

Property: Pond 20, San Diego, CA 92154

Agency Negotiator: City Manager

Negotiating Parties: Unified Port of San Diego

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 1231, 1233, and 1235 Palm Ave., Imperial Beach, CA 91932

Agency Negotiator: City Manager

Negotiating Parties: Richard A. Chavez and Ina Chaefer-Chavez

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 1497 13<sup>th</sup> Street, Imperial Beach, CA 91932

Agency Negotiator: City Manager

Negotiating Parties: Emmanuel Daniel

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

**MOTION CARRIED UNANIMOUSLY.**

MAYOR ROSE adjourned the meeting to Closed Session at 5:11 p.m. and she reconvened the meeting to Open Session at 6:19 p.m. Reporting out of Closed Session, MAYOR ROSE announced Council met earlier in Closed Session and had nothing to report with regard to the conference with labor negotiators or with the conference with property negotiators for the property located at Pond 20. She suggested that the remaining Closed Session items be continued to the next City Council meeting to be held on July 11<sup>th</sup>.

**MOTION BY ROSE, SECOND BY MCCOY, TO CONTINUE REMAINING CLOSED SESSION ITEMS (CONFERENCE WITH PROPERTY NEGOTIATORS FOR PROPERTIES AT 1231, 1233, AND 1235 PALM AVENUE, AND 1497 13<sup>th</sup> STREET) TO THE MEETING OF JULY 11, 2005. MOTION CARRIED UNANIMOUSLY.**

### **CALL TO ORDER**

MAYOR ROSE called the Regular Meeting to order at 6:20 p.m.

### **ROLL CALL**

Councilmembers present:	McCoy, Winter, McLean
Councilmembers absent:	None
Mayor present:	Rose
Mayor Pro Tem present:	Janney

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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### **PLEDGE OF ALLEGIANCE/INVOCATION**

MAYOR ROSE led everyone in the Pledge of Allegiance and asked everyone to bow his or her head for a moment of silence.

### **AGENDA CHANGES**

CITY MANAGER BROWN announced staff is recommending that Item No. 2.4 be rescheduled to July 20, 2005.

### **MAYOR/COUNCIL ANNOUNCEMENTS**

MAYOR ROSE announced that the 25<sup>th</sup> Anniversary of Sandcastle Days would be held July 15-17, 2005.

### **COMMUNICATIONS FROM CITY STAFF**

CITY MANAGER BROWN announced that the October 5<sup>th</sup> City Council meeting conflicts with the League of California Cities Annual Conference and suggested the meeting be rescheduled to October 4<sup>th</sup>. He announced that he would return with a date after reviewing Councilmembers' calendars.

### **PUBLIC COMMENT**

KATHERINE FORTNER, announced that she is the Community Representative Congresswoman Susan A. Davis.

### **PRESENTATIONS/PROCLAMATIONS (1)**

None.

### **CONSENT CALENDAR (2.1 - 2.13)**

COUNCILMEMBER MCCOY recommended Item No. 2.6 be pulled for discussion after the Consent Calendar.

MAYOR PRO TEM JANNEY stated he had a potential conflict of interest on Item No. 2.9.

COUNCILMEMBER MCLEAN stated he had a potential conflict of interest on Item No.2.3 as he lives within 500 feet of the item.

COUNCILMEMBER MCCOY stated she had a potential conflict of interest on Item No. 2.6 as she lives within 500 feet of the item and she withdrew her request to pull the item for discussion.

COUNCILMEMBER WINTER announced she had a conflict of interest on the item No. 2.6 as she lives within 500 feet of the item.

MAYOR ROSE stated Item No. 2.4 would be continued to July 20, 2005.

**MOTION BY ROSE, SECOND BY WINTER, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 WITH CORRECTIONS AS NOTED IN THE LAST MINUTE AGENDA INFORMATION, 2.2, 2.5, 2.8, AND 2.10 THRU 2.13; AND TO PULL ITEM NO. 2.4 – RESOLUTION NO. 2005-6176 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA RESCINDING CITY OF IMPERIAL BEACH COUNCIL POLICY 415 – FRANCHISED SOLID WASTE SERVICE WAIVERS FROM THE AGENDA AND RESCHEDULE TO THE MEETING OF JULY 20, 2005. MOTION CARRIED UNANIMOUSLY.**

**IN REGARD TO ITEM NO. 2.3 – MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY, WINTER, JANNEY ROSE</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>MCLEAN (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

**IN REGARD TO ITEM NO. 2.6 – MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>MCLEAN, JANNEY ROSE</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY, WINTER (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

**IN REGARD TO ITEM NO. 2.9 – MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY, WINTER, MCLEAN, ROSE</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>JANNEY (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

**2.1 MINUTES.**

Approved the minutes of the Regular Meeting of May 18, 2005 and the Continued Regular Meeting of June 2, 2005 with corrections.

**2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)**

Ratified Accounts Payable Numbers 59550 through 59650 for the period ending 06/21/05 and Payroll Register Numbers 35628 through 35688 for the period ending 06/09/05 in the amount of \$618,949.36.

**2.3 1365 SEACOAST CONDOMINIUMS; FINAL MAP (TM 04-147) FOR THE PROPOSED CONVERSION OF 14 RESIDENTIAL UNITS TO CONDOMINIUM OWNERSHIP AT 1365 SEACOAST DR., IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. OWNER: TRACY MEHKI, SAND AND SEA CAPITAL, INC./APPLICANT MALCOLM DAVIES, SAND AND SEA CAPITAL, INC. MF 744. (0600-20)**

Approved the Final Map (TM 04-147) and made the findings as listed in the staff report.

**2.5 RESOLUTION NO. 2005-6182 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AUTHORIZING AGREEMENT FOR BEACH ACCESS BY CITY OF IMPERIAL BEACH. (0480-75)**

1. Received report; and
2. Adopted Resolution No. 2005-6182.

**2.6 RESOLUTION NO. 2005-6178 AUTHORIZING A SMART GROWTH INCENTIVE PROGRAM (SGIP) GRANT APPLICATION FOR THE OLD PALM AVENUE STREETScape IMPROVEMENT PROJECT. (0140-40 & 0620-20)**

1. Received report; and
2. Adopted Resolution No. 2005-6178.

**2.7 NO ITEM.**

**2.8 RESOLUTION NO. 2005-6179 APPROVING A TWO-YEAR AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND JESSOP AND SON LANDSCAPING & TURF CARE FOR SPORTS PARK MAINTENANCE SERVICES. (0920-40)**

1. Received report; and
2. Adopted Resolution No. 2005-6179.

- 2.9 ADOPT RESOLUTION NO. 2005-6180 APPROVING A REVISED AGREEMENT BETWEEN THE CITY AND THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT ASSOCIATION/CHAMBER OF COMMERCE FOR ADMINISTRATION OF THE IMPERIAL BEACH BUSINESS IMPROVEMENT DISTRICT. (0465-20)**
1. Received report; and
  2. Adopted Resolution No. 2005-6180.
- 2.10 AUTHORIZE LETTER OF SUPPORT FOR ACA 13. (0460-40)**  
Authorized the Mayor to send a letter supporting ACA 13 to the Governor, Assembly Members Harman and Vargas, and Senator Ducheny with a copy to the League of California Cities similar to the letters sent by San Diego and the League of California Cities.
- 2.11 RELOCATION OF PUBLIC WORKS FACILITIES. (0910-30)**  
Authorized sending the letter regarding relocation of Public Works Yard to Captain Alexander.
- 2.12 ADOPTION OF RESOLUTION NO. 2005-6184 AUTHORIZING THE CITY MANAGER TO ENTER INTO PROFESSIONAL SERVICES CONSULTANT CONTRACT FOR TEMPORARY BUILDING DEPARTMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$50,000.00. (0710-90)**  
Adopted Resolution No. 2005-6184.
- 2.13 RESOLUTION AUTHORIZING THE PURCHASE OF ONE NEW LIFEGUARD 4X4 EMERGENCY COMMAND/ADMINISTRATIVE VEHICLE FOR THE OCEAN/BEACH SAFETY DIVISION. (0380-10)**
1. Received report; and
  2. Adopted Resolution No. 2005-6186 awarding the purchase to the lowest qualified bidder.

#### **ORDINANCES - INTRODUCTION/FIRST READING (3.1)**

- 3.1 INTRODUCTION OF ORDINANCE NO. 2005-1028, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH REPEALING CHAPTER 15.04 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE UNIFORM BUILDING CODE, 1997 EDITION AND INTRODUCTION OF ORDINANCE NO. 2005-1029 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AMENDING CHAPTER 15.06 OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO THE CALIFORNIA BUILDING CODE, 2001 EDITION. (0390-60 & 0710-95)**

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

CITY CLERK HALD read the title of Ordinance No. 2005-1028, an Ordinance of the City Council of the City of Imperial Beach, California, repealing Chapter 15.04 of the Imperial Beach Municipal Code related to the Uniform Building Code, 1997 Edition and read the title of Ordinance No. 2005-1029, an Ordinance of the City Council of the City of Imperial Beach, California amending Chapter 15.06 of the Imperial Beach Municipal Code related to the California Building Code, 2001 Edition.

**MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE FIRST READINGS OF ORDINANCE NOS. 2005-1028 AND 2005-1029 AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED UNANIMOUSLY.**

**ORDINANCES - INTRODUCTION/FIRST READING/PUBLIC HEARING (3.2)**

**3.2 SEWER RATE ORDINANCE. (0830-90)**

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

**MOTION BY WINTER, SECOND BY MCLEAN, TO CONTINUE THE PUBLIC HEARING TO A CONTINUED REGULAR MEETING OF MONDAY, JUNE 11, 2005.**

Discussion ensued and there was consensus of Council to take the public hearing simultaneously with Item No. 7.5.

**COUNCILMEMBER WINTER WITHDREW HER MOTION.**

**ORDINANCES - SECOND READING & ADOPTION (4.1 - 4.2)**

**4.1 ADOPTION OF ORDINANCE NO. 2005-1026 REPEALING AUTHORITY TO IMPOSE STANDBY CHARGES AND MODIFICATION OF SEWER RATE APPEAL PROCESS. (0830-37)**

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

CITY CLERK HALD read the title of Ordinance No. 2005-1026, an Ordinance of the City Council of the City of Imperial Beach, California, Amending Section 13.06.060(E) and Repealing Section 13.060.080 of the Imperial Beach Municipal Code.

**MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2005-1026 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.**

**4.2 ADOPTION OF ORDINANCE 2005-1027 – RENAMING CHAPTER 8.36 (REFUSE, SOLID WASTE AND RECYCLABLE COLLECTION); AMENDING SECTIONS 8.36.020 (AUTHORIZATION FOR COLLECTION OF SOLID WASTE AND RECYCLABLES), 8.36.030 (DEFINITIONS) AND 8.36.050 (COLLECTION BY FRANCHISEE); REPEALING 8.36.110 (GARBAGE AND REFUSE-RECYCLING RECEPTACLES-APPROVED FOR USE); AMENDING AND RENUMBERING 8.36.120 (GARBAGE AND REFUSE-RECYCLING-RECEPTACLES FOR COLLECTION) AND 8.36.170 (OWNER OR OCCUPIER DUTY TO KEEP SIDEWALKS LITTER FREE); RENUMBERING SECTIONS 8.36.130-8.36.160, 8.36.180 TO 8.36.270 AND ADDING SECTIONS 8.36.250 TO 8.36.320 RELATING TO SOLID WASTE COLLECTION METHODS. (0270-05)**

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

CITY CLERK HALD read the title of Ordinance No. 2005-1027, an Ordinance of the City Council of the City of Imperial Beach, California, renaming Chapter 8.36 (Refuse, Solid Waste and Recyclable Collection); amending Sections 8.36.020 (Authorization for Collection of Solid Waste and Recyclables), 8.36.030 (Definitions) and 8.36.050 (Collection by Franchisee); repealing 8.36.110 (Garbage and Refuse-recycling Receptacles-approved for Use); amending and renumbering 8.36.120 (Garbage and Refuse-recycling-receptacles for Collection) and 8.36.170 (Owner or Occupier Duty to Keep Sidewalks Litter Free); renumbering Sections 8.36.130-8.36.160, 8.36.180 to 8.36.270 and adding Sections 8.36.250 to 8.36.320 relating to solid waste collection methods.

**MOTION BY ROSE, SECOND BY WINTER, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2005-1027 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.**

**WRITTEN COMMUNICATIONS (5)**

None.

**PUBLIC HEARINGS (6.1 - 6.2)**

**6.1 JOE CRISTILLI (APPLICANT/ARCHITECT) / BOB KIPPERMAN (PROPERTY OWNER); ADMINISTRATIVE COASTAL PERMIT (ACP 04-165), CONDITIONAL USE PERMIT (CUP 04-166), DESIGN REVIEW (DRC 04-167), SITE PLAN REVIEW (SPR 04-168), FOR A MIXED-USE DEVELOPMENT WITH A RETAIL COMMERCIAL SPACE AND THREE RESIDENTIAL UNITS LOCATED AT 201 PALM AVE., IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 755. (0600-20)**

COUNCILMEMBER WINTER announced she had a potential conflict of interest on the item as she lives within 500 feet of the project and she left Council Chambers at 6:42 p.m.

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

CITY PLANNER NAKAGAWA gave a report on the item and responded to Council's concerns about the mechanical rooms, building height and parking.

In response to Council's concerns, Staff stated that the additional building height was necessary to accommodate the mechanical rooms/stairway and the projections were a design enhancement; the proximity to the property line limited the design on the west side of the building; however, a proposed project directly west would screen the bare wall.

COUNCILMEMBER MCLEAN spoke in support of the project.

In response to Mayor Pro Tem Janney's concern about the loss of parking spaces, COMMUNITY DEVELOPMENT DIRECTOR WADE suggested looking at possible solutions in the future such as a parking reservoir (i.e., a parking structure) to accommodate overflow parking or modifying the zoning parking regulations to allow for incentive for mixed-use development.

JOE CRISTILLI, applicant/architect, showed a model of the project and he responded to Council's concerns regarding the square footage of the mechanical rooms, building height and landscaping.

In response to Council's concern regarding storage in and conversion of the mechanical rooms, CITY ATTORNEY LOUGH suggested adding a condition that at the time of final approval by the Building Department, that the Community Development Director would have the ability to review and approve the design to ensure that there are no spaces available that can later be converted. Another option would be to add a condition of the CUP that the projections above the roof line cannot be used for storage.

In response to Council's concerns, MR. CRISTILLI stated that a rule not allowing for storage in the mechanical rooms would be placed in the CCNRs.

CITY ATTORNEY LOUGH recommended the following addition to the resolution: "The projections above the height limit allowed for mechanical equipment and stairwells shall not be used for storage or converted to any habitable use. This condition shall be added as a restriction to the covenants, conditions and restrictions for the development." He noted the applicant's approval.

**MOTION BY ROSE, SECOND BY MCCOY, TO CLOSE THE PUBLIC HEARING. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS: MCCOY, MCLEAN, JANNEY, ROSE</b>
<b>NOES:</b>	<b>COUNCILMEMBERS: NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS: WINTER (DUE TO POTENTIAL CONFLICTS OF INTEREST)</b>



**MOTION BY ROSE, SECOND BY JANNEY, TO ADOPT RESOLUTION NO. 2005-6177, GRANTING CONDITIONAL APPROVAL OF ADMINISTRATIVE COASTAL PERMIT (ACP 04-165), CONDITIONAL USE PERMIT (CUP 04-166), DESIGN REVIEW (DRC 04-167) AND SITE PLAN REVIEW (SPR 04-168), WHICH MAKES THE NECESSARY FINDINGS AND PROVIDES CONDITIONS OF APPROVAL IN COMPLIANCE WITH LOCAL AND STATE REQUIREMENTS, INCLUDING THE CONDITION AS READ BY CITY ATTORNEY LOUGH. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS: MCCOY, MCLEAN, JANNEY, ROSE</b>
<b>NOES:</b>	<b>COUNCILMEMBERS: NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS: WINTER (DUE TO POTENTIAL CONFLICTS OF INTEREST)</b>

COUNCILMEMBER WINTER returned to Council Chambers at 7:40 p.m.

With concern for limited commercial space, MAYOR ROSE requested that staff look into the proportion of commercial to residential in mixed-use developments.

## **6.2 PUBLIC HEARING FOR FY 2005/2006 BUSINESS IMPROVEMENT DISTRICT (BID) ASSESSMENTS. (0920-40)**

MAYOR PRO TEM JANNEY announced he had a potential conflict of interest on the item, as his wife is involved with the Business Improvement District and left Council Chambers at 7:41 p.m.

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item and announced that the amount of the assessments remain at the same level as FY 2004/2005.

CITY CLERK HALD announced no speaker slips were submitted.

**MOTION BY ROSE, SECOND BY MCCOY, TO CLOSE THE PUBLIC HEARING. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS: MCCOY, WINTER, MCLEAN, ROSE</b>
<b>NOES:</b>	<b>COUNCILMEMBERS: NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS: JANNEY (DUE TO POTENTIAL CONFLICTS OF INTEREST)</b>

**MOTION BY ROSE, SECOND BY MCCOY, TO ADOPT ASSESSMENTS FOR FY 2005/2006 AT THE SAME LEVEL AS FY 2004/2005. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS: MCCOY, WINTER, MCLEAN, ROSE</b>
<b>NOES:</b>	<b>COUNCILMEMBERS: NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS: JANNEY (DUE TO POTENTIAL CONFLICTS OF INTEREST)</b>

MAYOR PRO TEM JANNEY returned to Council Chambers at 7:44 p.m.

## **REPORTS (7.1 - 7.5)**

### **7.1 VETERANS PARK MASTER PLAN CIP - LANDSCAPE PLAN. (0920-70)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item; he reviewed the landscape drawing planting plans for Veterans Park and showed pictorial examples of the Canary Island Pine and the Brisbane Box trees.

COUNCILMEMBER WINTER thanked Public Works Director Levien for providing schematics of the park; she questioned if the trees could be placed randomly throughout the park rather than lined up along the wall, which would create smaller and intimate spaces.

PUBLIC WORKS DIRECTOR LEVIEN responded the open space in the middle area would allow for children to play soccer or Frisbee and allow room for animals to play; he also introduced landscaper Sevy Chavez of BDS Engineering

In response to Council's concerns, SEVY CHAVEZ stated that trees could be planted in clusters if that is a desire of Council; he suggested a broad leaf or deciduous tree; and he spoke in opposition of jacarandas and macadamia trees.

JULIA ROLF expressed concerned about the height of the trees and questioned if they could be topped off (trimmed).

MR. CHAVEZ responded that the Canary Island Pine develops its own structure; if the top is cut off, it will lose its shape, and possibly make the situation worse.

MAYOR ROSE referred Ms. Rolf's request to the City Manager for review.

CATHY CLAMP stated that the Boys and Girls Club, along with other children, use the open area of the park and she requested that the openness of the trees remain.

BOB WADHAM requested that there be consideration of people with allergies and suggested that trees that do not produce allergens be considered.

CAROL KINNEY supported the random planting of trees and she requested that the tea trees behind her fence be removed as soon as possible.

DON MUELLER expressed concern about the canopy of the trees and the placement of the fence in relation to the trees; and he noted that he did not want a gate on his fence.

COUNCILMEMBER MCCOY spoke in support of trees.

MAYOR ROSE recommended that staff return with a different planting pattern and different tree options; she suggested that the new tree plantings be far enough away from the walls so the drip line doesn't overhang the wall; she requested that staff return with a diagram of the southern portion of the park showing a cluster planning of the trees.

In response to Council's concern regarding removal of the tea trees, PUBLIC WORKS DIRECTOR LEVIEN anticipated the removal of the trees to be done in conjunction with the

removal of the wall by the general contractor; immediate removal of the trees would have to be done internally by City staff. He will include the landscape element in the master plan, which will be presented to Council on August 3<sup>rd</sup>.

Discussion ensued regarding the removal of the tea trees behind Ms. Kinney's home.

CITY ATTORNEY LOUGH urged Council not to do the project in a piecemeal process, as it would expose the City to liability.

MS. KINNEY respectfully withdrew her request for the immediate removal of the trees along the backside of her wall.

MAYOR ROSE called a recess at 8:52 p.m. and reconvened the meeting to Open Session at 9:11 p.m.

### **ROLL CALL**

Councilmembers present: McCoy, Winter, McLean

Councilmembers absent: None

Mayor present: Rose

Mayor Pro Tem present: Janney

Staff present: City Manager Brown; City Attorney Lough;  
City Clerk Hald

### **7.2 ADOPT RESOLUTION NO. 2005-6181 APPROVING THE CITY OF IMPERIAL BEACH'S REQUEST TO WITHDRAW FROM THE SAN DIEGO REGIONAL REVOLVING LOAN FUND PROGRAM. (0620-20)**

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER RITTER reported on the item.

### **MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2005-6181.**

Discussion ensued.

**VOTES WERE NOW CAST ON ORIGINAL MOTION BY ROSE, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2005-6181. MOTION CARRIED UNANIMOUSLY.**

### **7.3 SEWAGE ISSUE STRATEGY/SECONDARY TREATMENT STATUS. (0620-75)**

COUNCILMEMBER WINTER thanked Olivia Pickering of the I.B. Sun for reprinting the piece she wrote for the Union-Tribune.

COUNCILMEMBER MCCOY commented on the Good Neighbor Board publication on water quality and the border.

**7.4 URBAN WATERFRONT/ECO-TOURISM STUDY – FORMATION OF AN ECO-TOURISM COMMITTEE AND ESTABLISHING ITS DUTIES, ROLES AND FUNCTIONS. (0620-25)**

CITY MANAGER BROWN introduced the item.

COUNCILMEMBER MCLEAN supported staff's recommendation.

MAYOR ROSE suggested that the committee not be limited to a small number of members as she saw value in the inclusion of the Audubon Society, Environmental Health, Fish and Game, California State Parks and the Management Authority.

COUNCILMEMBER WINTER encouraged staff to consider U.S. Fish and Wildlife Service and California State Parks, as they are the biggest partners with the City in management of the estuary.

COMMUNITY DEVELOPMENT DIRECTOR WADE stated that the City's representative would initially be a staff member, then as the committee's mission is defined, a marketing consultant who specializes in eco-tourism would be hired.

COUNCILMEMBER WINTER encouraged staff to consider Walke Communications for public relations.

COMMUNITY DEVELOPMENT DIRECTOR WADE stated that staff would identify potential committee members.

MAYOR ROSE announced that Item No. 3.2 would be taken along with Item No. 7.5

**3.2 SEWER RATE ORDINANCE. (0830-90) AND  
7.5 SEWER RATE STUDY REPORT – STATUS REPORT. (0830-90)**

MAYOR ROSE declared the public hearing open.

CITY MANAGER BROWN introduced the item.

ADMINISTRATIVE SERVICES DIRECTOR HERRERA gave a PowerPoint presentation on the item.

MAYOR ROSE spoke in opposition to language that would create an automatic pass through of increases from San Diego Metro Wastewater Commission.

MAYOR PRO TEM JANNEY requested that the actual sewer budget be presented at the Monday night meeting.

BOB WADHAM expressed an interest in re-using water from tubs, sinks and washing machines for use in gardens.

COUNCILMEMBER WINTER spoke about the current use of reclaimed water in the County and she stated that due to the high costs and the lack of infrastructure, the use of gray water is unlikely in the near future.

**MOTION BY ROSE, SECOND BY MCCOY, TO CONTINUE THE PUBLIC HEARING TO A CONTINUED REGULAR MEETING OF MONDAY, JUNE 11, 2005. MOTION CARRIED UNANIMOUSLY.**

**REPORTS OF MAYOR AND COUNCILMEMBERS**

COUNCILMEMBER WINTER announced that she will be attending the Metro Wastewater Commission meeting tomorrow where Scripps Institution of Oceanography would be giving an update report on the San Diego Coastal Ocean Observing System (SDCOOS) and a representative from Senator Barbara Boxer's office would be giving a presentation on the Oceans Bill.

COUNCILMEMBER MCCOY requested the City Manager contact Carolina Gregor at SANDAG to do a presentation on smartgrowth and she announced that the Green Line for the San Diego Trolley System will open on July 8<sup>th</sup>.

The meeting adjourned at 9:46 p.m.

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Diane Rose, Mayor

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Attest:  
Jacqueline M. Hald, CMC  
City Clerk